

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Case No. 1:13-cv-360

v.

Hon. Robert J. Jonker

JESSE RALEIGH,

Defendant.

ORDER TO FILE STATUS REPORT

Pending before the Court are two motions filed by the plaintiff. One is plaintiff's motion for an extension of time within which to complete discovery and serve expert witness reports (docket no. 35), which was filed on August 14, 2014. The other is the plaintiff's motion for an extension of time within which the parties must file dispositive motions (docket no. 41), which was filed September 15, 2014. The first motion hinges on the production of hard drives from the defendant's computers without which, plaintiff maintains, plaintiff cannot complete and serve its expert's report on defendant. The second motion seeks an additional 30 days to file dispositive motions after the close of an extended discovery date based on the production of the hard drives.

Between the time the two motions were filed, the Court held a hearing on August 26, 2014 on an earlier motion to compel filed by plaintiff (docket no. 26), at which time the parties were able to agree to search the hard drives of the defendant's four computers on a rotating basis, and the Court so ordered. Order, August 29, 2014 (docket no. 39). At the time of the hearing it was not known how long this procedure would take. Clearly, completion of this process is necessary to the adjustment of any deadline for disclosing expert reports and for any subsequent deadline for filing

dispositive motions. Where this process presently stands is entirely within the knowledge of the parties.

Accordingly, the parties shall file with the Court, within seven (7) days, a joint status report as to the progress being made on the imaging of the hard drives to date, with an estimated completion date for this process, together with an expected date for completing expert reports and a date for filing dispositive motions, along with such other information as may be useful in providing the Court with guidance in setting new dates for these purposes. The Court, of course, reserves the right to set such dates as appear to it to be reasonable and expeditious to the resolution of this case.

In the interim, resolution of the two motions will be held in abeyance.

IT IS SO ORDERED.

Dated: October 10, 2014

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge